

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

CC HOLDINGS, LLC,
CC BRIARCLIFF, LLC,
CONTINUUM COURTYARDS, LLC,
AND COURTYARDS BRIARCLIFF, LLC,

Plaintiffs,

vs.

Docket No. 3:16-CV-00561

EAST LAKE ACQUISITION COMPANY IV, LLC

Defendant.

REPORT OF THE PARTIES PLANNING MEETING

The following persons participated in a Rule 26(f) conference on October 21, 2016 by teleconference. Those attending were Travis Parham, Mark Willis, attorneys for the Defendant/Counter-Claimant and Tyler Chastain and Daryl R. Fansler, attorneys for the Plaintiff/Counter-Defendant.

1. The parties will complete initial disclosure by December 9, 2016.
2. The parties have stipulated a date in excess of that provided by the Federal Rules of Civil Procedure in that it is anticipated that some or all of the issues involved in this case may be resolved on or before that date.
3. The parties proposed the following discovery plan:
 - (a) Discovery will be needed on the parties' performance under the Contract and damages claimed by East Lake.

(b) Disclosure or discovery of electronically stored information should be handled by producing material in its native format or PDF. The parties reserve the right to further discuss the need for electronically stored information.

(c) The parties have agreed to an order regarding claims of privilege or protection as trial preparation material asserted after production as follows:

(d) Discovery may be commenced after December 9, 2016 and completed ninety (90) days before trial.

(e) The parties agree that each party shall be entitled to submit twenty-five (25) interrogatories to another party. Answers will be due in accord with the Federal Rules of Civil Procedure.

(f) The parties agree to limit the request for admissions to twenty-five (25), except for requests to authenticate documents. Responses will be due in accord with the Federal Rules of Civil Procedure.

(g) The maximum number of depositions for each party shall be ten (10).

(h) The length of deposition per individual will be one (1) day consisting of seven (7) hours.

(i) The parties will exchange reports of expert witnesses one hundred eighty (180) days prior to the trial. Any rebuttal reports will be provided thirty (30) days thereafter.

(j) Supplements to discovery responses will be provided as soon as practicable upon discovery.

4. Other Items.

(a) Not applicable.

- (b) Not applicable.
- (c) Final date for Plaintiffs to amend pleadings or to join parties will be March 1, 2017.
- (d) Final date for Defendant to amend pleadings or to join parties will be March 1, 2017.
- (e) Dispositive motions will be filed one hundred twenty (120) days prior to trial.
- (f) The prospects for settlement are unknown at present.
- (g) It is unknown at present whether alternative dispute resolution procedures might enhance settlement prospects.
- (h) Forty-five (45) days before trial, the parties will submit Rule 26(a)(3) witness lists, designations of witnesses whose testimony will be presented by deposition and exhibit lists.
- (i) Final date for filing objections under Rule 26(a)(3) will be thirty (30) days before trial.
- (j) It is anticipated this matter will take at least four (4) days to try and will not be ready for trial prior to December 2017.

s/ DARYL R. FANSLER
DARYL R. FANSLER (BPR # 010219)

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CERTIFICATE OF SERVICE

I hereby certify that on November 4, 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ DARYL R. FANSLER
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